

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GOLDEN MANAGERS ACCEPTANCE
CORP. and GOLDEN IMPROVEMENTS
CORPORATION,

Plaintiffs,

-against-

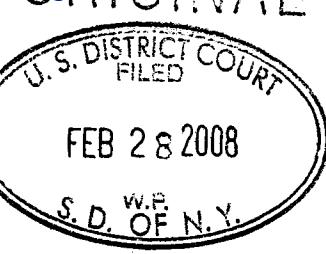
RICHARD YANDOLI,

Index No. CV

Defendant.

JUDGE ROBINSON

08 CIV. 2007



ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

UPON reading and filing (i) the application (the "Application") by order to show cause for (a) a pre-judgment order of attachment pursuant to Rule 64 of the Federal Rules of Civil Procedure and Section 6201(3) of the New York Civil Practice Law and Rules and (b) an Order granting an *ex parte* temporary restraining order and preliminary injunction pursuant to Rule 65(b) of the Federal Rules of Civil Procedure ("Fed. R. Civ. P."), annexed hereto as Exhibit 1; and (ii) the affidavit of Edward M. Flint, Esq., in support of the Application, and all exhibits annexed thereto, annexed hereto as Exhibit 2; from all of which it appears: (a) plaintiffs Golden Managers Acceptance Corp., and Golden Improvements Corporation (collectively, the "Plaintiffs") have a high probability of success on the merits of the claims for relief set forth in the Complaint; (b) there is ample evidence of defendant, Richard Yandoli's ("Defendant's") intention to transfer cash and/or personal property and/or real property ("Yandoli's Assets") worth more than two million (\$2,000,000) dollars for no consideration; (c) there is ample evidence that if Defendant is permitted to go forward with his plan to transfer, assign, sell, hypothecate or otherwise dispose of Yandoli's Assets, Plaintiffs' and Defendant's other creditors will be permanently deprived of recourse to those assets, thereby causing them irreparable harm; and (d) there exists an immediate and pressing need for the provisional relief requested in the

Application until such time as the competing interests for Yandoli's Assets can be sorted out.

NOW, on Plaintiff's application, it is

ORDERED, that the above-captioned Defendant, or his attorneys, **SHOW CAUSE**
~~300 Greenwich St. White Plains~~
before this Court, located at ~~40 Centre Street / 500 Pearl Street, New York, New York~~ on the
1st day of April 2008 at 12 ~~am~~/p.m. on that day or as soon thereafter as
counsel can be heard, why an order should not be granted as follows:

- 1) Pursuant to CPLR §6201 made applicable by Fed. R. Civ. P. 64, granting Plaintiffs a pre-judgment Order of attachment on Yandoli's Assets;
- 2) Pursuant to Fed. R. Civ. P. 65(b) preliminarily enjoining Richard Yandoli, pending a final judgment in this action from transferring, assigning, selling, hypothecating or otherwise disposing of Yandoli's Assets
- 3) For such other and further relief as the Court finds just and proper; and it is further

ORDERED, that sufficient cause having been shown pursuant to the provisions of Fed. R. Civ. P. 65(b), Defendant is, pending the hearing and determination of the Application, enjoined, prohibited and restrained, from transferring, assigning, selling, hypothecating, or otherwise disposing of Yandoli's Assets; and it is further

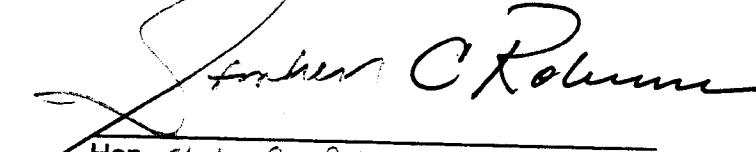
ORDERED, that service of a copy of (i) this order; (ii) the Application and its supporting papers; (iii) the Memorandum in support of the Application; and (iv) the Complaint upon the Defendant, in accordance with Fed. R. of Civ. P. 4, with a copy served by hand or by overnight package express on counsel for the Defendant, Harvey J. Cavayero & Associates, 57 Old Country Road, Westbury, New York 11590, on or before the 5th day of March, 2008 shall be deemed good and sufficient service; and it is further

ORDERED, that security in the sum of \$ 0.00 be posted by Plaintiff's ~~and it is further~~
~~before~~ ~~1, 2008, and it is further~~

ORDERED, that answering papers, if any, must be (i) filed with the Court in accordance with the Local Rules and procedures of the Court; (ii) delivered to Chambers of the Honorable Stephen C. Robinson, and (iii) served upon Silverman Perlstein & Acampora LLP, attention Edward M. Flint, Esq., to be received no later than 4:00 p.m. on 12th day of March, 2008.

Dated: February 29, 2008
New York, New York
White Plains,

So Ordered


Stephen C. Robinson
Hon. Stephen C. Robinson
United States District Judge